

PB# 87-50

**Paolo
(Sub.)**

4-2-7.2

PAOLA

SUBDIVISION

87-50

Approved
6/28/89

OCT 28

General Receipt		9088
TOWN OF NEW WINDSOR 555 Union Avenue New Windsor, N. Y. 12550		
Received of <u>Mr. Paolo</u>		<u>July 7</u> 19 <u>87</u> \$ <u>25.00</u>
<u>Twenty-five and</u> <u>00</u> / <u>100</u> DOLLARS		
For <u>Subdivision Application Fee - 87-56</u>		
DISTRIBUTION		
FUND	CODE	AMOUNT
<u>Cash</u>		<u>25.00</u>
By <u>Pauline H. Townsend</u>		ES
<u>Town Clerk</u> Title		

Williamson Law Book Co., Rochester, N. Y. 14609

General Receipt		10751
TOWN OF NEW WINDSOR 555 Union Avenue New Windsor, N. Y. 12550		
Received of <u>Elizabeth H. Paolo</u>		<u>July 24</u> 19 <u>87</u> \$ <u>692.00</u>
<u>Six Hundred ninety-two and</u> <u>00</u> / <u>100</u> DOLLARS		
For <u>Plan of fees \$465.00 - Engineering Fees \$465.00</u>		
DISTRIBUTION <u>#87-50</u>		
FUND	CODE	AMOUNT
<u>Cheek #692.00</u>		
<u>#272</u>		
By <u>Pauline P. Townsend</u>		EC
<u>Town Clerk</u> Title		

Williamson Law Book Co., Rochester, N. Y. 14609

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Town Clerk
Title

General Receipt

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, N. Y. 12550

10751

Received of Elizabeth H. Paolo July 24 19 89
\$ 692.00

For Six Hundred Ninety two and 00/100 DOLLARS
Plan Bd fees \$465.00 - Engineering Fees \$465.00

DISTRIBUTION #87-50

FUND	CODE	AMOUNT
<u>Check #692.00</u>		
<u>#272</u>		

By Pauline P. Toromend EC
Town Clerk
Title

Williamson Law Book Co., Rochester, N. Y. 14609

Planning Board
Town Hall
555 Union Ave.
New Windsor, N.Y. 12550

NO. 87-50
7/24 19 89

RECEIVED FROM Elizabeth Paolo
Five Hundred 00/100 DOLLARS
Recreation fee (2 lots)

Account Total \$ 500.00
Amount Paid \$ 500.00
Balance Due \$ - 0 -

Myra Mason
Secretary

THE EFFICIENCY LINE AN AMPAS PRODUCT

IBT
PB
FW
HJ
SC
1

5/15/88 DOT.
O.C.H
O.C.P
D.P.W.

PAOLA - SUBDIVISION 87-50

County File No. NWT 8.89.N.

COUNTY PLANNING REFERRAL

(Mandatory County Planning Review under Article 12-B,
Section 239, Paragraphs 1, m & n, of the
General Municipal Law)

Application of Rev. L.A. Sperry
for a Minor Subdivision - Frontage/Access CR#69
County Action: Local Determination

LOCAL MUNICIPAL ACTION

The Above-cited application was:

Denied Approved

Approved subject to County recommendations

(Date of Local Action)

(Signature of Local Official)

This card must be returned to the Orange County Department of Planning

County File No. NWT 30-88 N

COUNTY PLANNING REFERRAL

(Mandatory County Planning Review under Article 12-B,
Section 239, Paragraphs 1, m & n, of the
General Municipal Law)

Application of Elizabeth Paola
for a Minor Subdivision - Union Avenue
County Action: Local Determination

LOCAL MUNICIPAL ACTION

The Above-cited application was:

Denied Approved

Approved subject to County recommendations

(Date of Local Action)

(Signature of Local Official)

This card must be returned to the Orange County Department of Planning
within 7 days of local action.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE. (ROUTE 9W)
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640
PORT JERVIS (914) 856-5600

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

Licensed in New York,
New Jersey and Pennsylvania

MEMORANDUM FOR RECORD

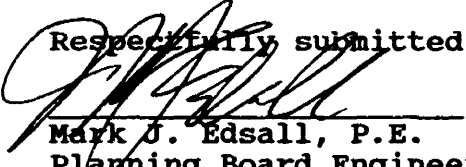
TO: TOWN OF NEW WINDSOR PLANNING BOARD
FROM: MARK J. EDSALL, P.E., PLANNING BOARD ENGINEER
SUBJECT: PAOLA MINOR SUBDIVISION (T87-50);
AKA SPERRY SUBDIVISION
DATE: 18 AUGUST 1989

Pursuant to a request from the Planning Board Secretary, I have reviewed the status of the approval for the subject project, as was conditionally granted on 28 June 1989.

As can be seen from Page 6 of the minutes of the aforementioned meeting (copy attached) the only conditions set forth in the approval motion was that the special note be revised "as set forth by the Town Attorney". In addition, Mr. Soukup expressed additional concerns and the Board, by resolution, asked that the Town Attorney and Town Board investigate other aspects of the approval.

No engineering concerns were outstanding as part of the approval, nor were any of the approval conditions engineering related. Therefore, at this time, I take no objection to the approval of the plan; however, you should contact both the Town Attorney and Planning Board Attorney to determine that all the legal conditions of approval have been satisfied.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEemj

Encl.as

mason

Mr. Schiefer: Are you against the public hearing based on that?

Mr. Pagano: We are waiving a public hearing. I think the people on Summit should be aware.

Mr. Jones Aye
Mr. Schiefer Aye

Mr. McCarville: I make a motion that we approve the Paola Subdivision 87-50 subject to the revisions of the note as set forth by the town attorney. I note the applicant is Reverend Sperry, the owner of the parcel is Paola.

Mr. VanLeeuwen: Her consent is right here.

Mr. McCarville: Okay. Thank you.

Mr. Schiefer: You made a motion that we approve?

Mr. VanLeeuwen: Subject to the additions read off by the town attorney to be put on the map.

Mr. VanLeeuwen: I will second that motion

ROLL CALL:

Mr. McCarville Aye
Mr. VanLeeuwen Aye
Mr. Soukup Aye
Mr. Pagano No
Mr. Jones Aye
Mr. Schiefer Aye

Mr. Soukup: In light of the conversation and the concern about access, I'd like to make a resolution that we ask the town attorney to investigate the possibility of a right-of-way access across the school property that might connect to the County of Orange parcel, if that parcel can still be made available. I think an access opposite or past the corner of Nina Street makes a lot more sense. It is vacant land. It will give an emergency second access to the site and I'd like to offer that as a resolution in light of, in lieu of the fact that it doesn't seem reasonable to force an access through this property at a future date.

Mr. Schiefer: How does that effect the note?

Mr. Hildreth: In my opinion, the note supports that because the note would also cover.

Mr. Soukup: As part of the resolution, I'd like to have the Board address, the town attorney look into that to see if it is possible or feasible as an alternative solution to the problem being raised.

Mr. Jones: What happens if the Board of Education doesn't want to go along with our idea?

Mr. Soukup: That is why we are asking the town attorney to look into it.

Mr. Schiefer: We are just asking them to look into it. We can't take the action ourselves but see what the possibilities are.

Mr. Soukup: It comes down to a Town Board action. We can't force it. If they have a chance to do it, I am sure they will consider it.

Mr. VanLeeuwen: I will second that resolution.

ROLL CALL:

Mr. McCarville	Aye
Mr. VanLeeuwen	Aye
Mr. Soukup	Aye
Mr. Pagano	Aye
Mr. Jones	Aye
Mr. Schiefer	Aye

TOWN OF NEW WINDSOR
PLANNING BOARD MEETING

JUNE 28, 1989

MEMBERS PRESENT: CARL SCHIEFER, CHAIRMAN
LAWRENCE JONES
VINCE SOUKUP
HENRY VAN LEEUWEN
DAN MC CARVILLE
JOHN PAGANO

ABSENT: RON LANDER

ALSO PRESENT: MARK EDSALL, P.E., PLANNING BOARD ENGINEER
JOSEPH RONES, ESQ., PLANNING BOARD ATTORNEY
MICHAEL BABCOCK, BUILDING INSPECTOR

Mr. Schiefer called the regular meeting to order.

Mr. Jones: I make a motion that we approve the May 24th, 1989 minutes.

Mr. VanLeeuwen: I second that motion.

ROLL CALL:

Mr. VanLeeuwen	Aye
Mr. McCarville	Aye
Mr. Soukup	Aye
Mr. Jones	Aye
Mr. Pagano	Aye
Mr. Schiefer	Aye

PAOLA SUBDIVISION (87-504) UNION AVENUE

Mr. William Hildreth came before the Board representing this proposal.

Mr. Hildreth: This was last year before the Board on the 10th of May. To briefly recap, this is a three lot subdivision. It's been to the Zoning Board of Appeals a while ago for the house setback variance that has all been approved. The open items from the last meeting was that there was a driveway note that was requested to be put on. It appears at the top of the map which deals with the access

and the use of the driveway, specifically, restricting any other access off of Union Avenue to lot #1.

Mr. VanLeeuwen: There is a mutual agreement?

Mr. Hildreth: That will be filed when the lots are deeded out and sold. That is what the note says. The driveway easement was extended a little bit at the suggestion of the Board in order to give people room to turn around. That is people that are using the driveway for access to lot 1.

Mr. Schiefer: You have expanded to 20 feet?

Mr. Hildreth: Right, so there is room to back a car up. The shed that appears on lot #2, there was some question as to whether it had a valid building permit. It does. There was some question as to whether it was in the proper spot at the time it was not. Timing is everything. I went out and relocated it at the time I relocated it, it is where it is shown on the map. However, everybody knew that once the subdivision was created, it had to be moved back in order to be behind the line created by the house on lot #2. That has been done so the shed can now be properly shown if that is necessary. It is behind that line, I don't know exactly where as of the 19th of June. That will be verified and the maps had already been submitted by the 19th of June but I had put the note on there so everyone knew it was supposed to be moved but that has been cleared up. Finally, it brings us to the development note that was discussed for lot #3. Mr. Rones has appeared at the appropriate time. I can read it, it is something that I have come up with and tried to cover what the Board discussed. It is open for revision for whatever you might deem appropriate. Development of lot 3 is subject to the possibility of requirement by the Town of New Windsor to provide a 50 foot wide right-of-way through lot #3 from Union Avenue to lands provided by the Town of New Windsor to connection to Summit Drive. The location of any structure to be constructed on lot 3 shall take this provision into account and be subject to the review of the Town Building Department.

Mr. Pagano: Whatever happened to that piece of property, that right-of-way was sold as a tax lien?

Mr. Hildreth: Yes and I don't know anything further than that. I don't know if you were here at the meeting or not.

Mr. VanLeeuwen: Never got a building permit.

Mr. McCarville: He is entitled to a building permit.

Mr. Soukup: Wasn't somebody going to contact the County of Orange about that being a right-of-way and not a suitable lot for sale?

Mr. McCarville: The lot has been purchased.

Mr. Hildreth: As of the last meeting, we show it as now all formally Orange County. That was the owner of record at the time we generated the map. Mike Babcock said somebody provided, somebody requested a building permit.

Mr. McCarville: I question whether that is an appropriate place for access. There is just not that good visibility there. Visibility is wicked and furthermore this isn't going to resolve it by putting this here. You can hardly see.

Mr. Soukup: When you come out of Cimorelli Drive, you can't see back over the crest of the hill. You can see down towards the Town Hall but no problem but you can't see back over the hill.

Mr. McCarville: The other thing just to protect whoever winds up with lot #3 here that if this parcel is developed that this note is--

Mr. Hildreth: Becomes null and void.

Mr. McCarville: Why tie this in as a factor on here?

Mr. Rones: I'd prefer to see a dedicated right-of-way along one of the boundary lines.

Mr. McCarville: To where?

Mr. Soukup: We don't have a point to connect to.

Mr. VanLeeuwen: To make him put the road in, that is a little unfair.

Mr. Rones: I prefer to have a strip reserved for the right-of-way and have the strip dedicated to the town. Whoever develops this piece in the back would be responsible for improving it as a requirement but that would be my preference. I suppose we can clean up this language to make it somewhat more reliable but--

Mr. Hildreth: It was my intention or I thought it a good idea to not restrict the development of that lot or to keep it from being whoever purchases this lot should have as much freedom of choice allowed to develop it. If you make a right-of-way in one spot that may restrict.

Mr. Rones: Isn't going to be along this boundary line or this boundary line.

Mr. Hildreth: Correct but I think that would create somewhat of a problem because it is opposite of this one but on the other hand, it might be a good idea to have an opposite intersection. I went around this and the sight distance is difficult which would make a road coming out here just as difficult. Do you see in the lower corner where it says County of Orange, that is the 50 foot lot that has now been purchased to be built on. That is the only access to

Summit Drive is the 50 foot strip so I think it would be very unfair to the applicant to put a 50 foot easement down through here. Then, you get to the point where even if they want to put a driveway, they get into a private road on town easements and vice versa. I think the notation on the map certainly suffices when it comes back before Planning Board for development. In the event something becomes available in the back, the town wanted the ability to utilize it if possible.

Mr. Ronces: I would like to see the language changed somewhat to say that no building permit shall be issued for any structures, the location of any structure shall be constructed.

Mr. VanLeeuwen: How about reviewed by the Planning Board?

Mr. Ronces: It says shall be subject to the review of the building department. I think it would be better to say that--

Mr. Pagano: He could put a right-of-way through lot 2 and still leave this here so he can do anything that he wants.

Mr. VanLeeuwen: That is what I wanted in the very beginning. This is the position I take anyway that we can relieve the problem on Park Hill any way we can do it, we can do it because there has been so many accidents on the top of Park Hill. It is unbelievable.

Mr. Pagano: Summit also is too narrow. You can't even come out of Summit and make a right or left turn out of this. Whatever happened when this development was made, Summit was forgotten about and they put in a very narrow strip. Cars parked on one side create a traffic jam. If you get two people parked, there is no room.

Mr. VanLeeuwen: There is still 50 foot wide right-of-way through there.

Mr. McCarville: I agree with Joe, just clean up the wording on this note.

Mr. VanLeeuwen: I will go along with that also.

Mr. McCarville: To include a review by the Planning Board.

Mr. VanLeeuwen: I prefer to see a right-of-way but I agree with everybody else. I don't want to see the guy tied down because I don't think it is really fair.

Mr. Hildreth: I fully understand the traffic problems in any way that it could be alleviated, I agree is desirable. I don't think this is the answer. You have got no place to put it right now. No building permit shall be issued unless approved by the Planning Board, okay.

Mr. Ronces: I can give this to you and you can make the amended note.

In keeping with the consensus that the Board has voiced that we should work with the special note that has been proposed by the applicant, I would suggest that it be revised by deleting the last two words of the note which say building department and substituting the following so that it shall read Town of New Windsor Planning Board and no building permit shall be issued unless approved by the Planning Board.

Mr. VanLeeuwen: Okay. I will make a motion that they be--

Mr. Schiefer: We need lead agency under the SEQR process.

Mr. VanLeeuwen: I move that we take lead agency status with regard to the SEQR process on the Paola Subdivision.

Mr. McCarville: I will second that motion.

ROLL CALL:

Mr. McCarville	Aye
Mr. VanLeeuwen	Aye
Mr. Soukup	Aye
Mr. Pagano	Aye
Mr. Jones	Aye
Mr. Schiefer	Aye

Mr. Soukup: I make a motion that we declare a negative declaration with regard to the SEQR process regarding Paola Subdivision.

Mr. VanLeeuwen: I will second that motion.

ROLL CALL:

Mr. McCarville	Aye
Mr. VanLeeuwen	Aye
Mr. Soukup	Aye
Mr. Pagano	Aye
Mr. Jones	Aye
Mr. Schiefer	Aye

Mr. VanLeeuwen: I make a motion that we waive the public hearing with regard to the Paola Subdivision.

Mr. Soukup: I will second that motion.

ROLL CALL:

Mr. McCarville	Aye
Mr. VanLeeuwen	Aye
Mr. Soukup	Aye
Mr. Pagano	No. I am against the possibility of that right-of-way being established to Summit which I consider the road is too narrow and ill-equipped to handle any further traffic no matter what.

Mr. Schiefer: Are you against the public hearing based on that?

Mr. Pagano: We are waiving a public hearing. I think the people on Summit should be aware.

Mr. Jones Aye
Mr. Schiefer Aye

Mr. McCarville: I make a motion that we approve the Paola Subdivision 87-50 subject to the revisions of the note as set forth by the town attorney. I note the applicant is Reverend Sperry, the owner of the parcel is Paola.

Mr. VanLeeuwen: Her consent is right here.

Mr. McCarville: Okay. Thank you.

Mr. Schiefer: You made a motion that we approve?

Mr. VanLeeuwen: Subject to the additions read off by the town attorney to be put on the map.

Mr. VanLeeuwen: I will second that motion

ROLL CALL:

Mr. McCarville Aye
Mr. VanLeeuwen Aye
Mr. Soukup Aye
Mr. Pagano No
Mr. Jones Aye
Mr. Schiefer Aye

Mr. Soukup: In light of the conversation and the concern about access, I'd like to make a resolution that we ask the town attorney to investigate the possibility of a right-of-way access across the school property that might connect to the County of Orange parcel, if that parcel can still be made available. I think an access opposite or past the corner of Nina Street makes a lot more sense. It is vacant land. It will give an emergency second access to the site and I'd like to offer that as a resolution in light of, in lieu of the fact that it doesn't seem reasonable to force an access through this property at a future date.

Mr. Schiefer: How does that effect the note?

Mr. Hildreth: In my opinion, the note supports that because the note would also cover.

Mr. Soukup: As part of the resolution, I'd like to have the Board address, the town attorney look into that to see if it is possible or feasible as an alternative solution to the problem being raised.

Mr. Jones: What happens if the Board of Education doesn't want to go along with our idea?

Mr. Soukup: That is why we are asking the town attorney to look into it.

Mr. Schiefer: We are just asking them to look into it. We can't take the action ourselves but see what the possibilities are.

Mr. Soukup: It comes down to a Town Board action. We can't force it. If they have a chance to do it, I am sure they will consider it.

Mr. VanLeeuwen: I will second that resolution.

ROLL CALL:

Mr. McCarville	Aye
Mr. VanLeeuwen	Aye
Mr. Soukup	Aye
Mr. Pagano	Aye
Mr. Jones	Aye
Mr. Schiefer	Aye

& Grevas
Hildreth, P.C. LAND SURVEYORS
33 QUASSAICK AVENUE, NEW WINDSOR, NEW YORK 12550
TELEPHONE: (914) 562-8667

LAND SURVEYS
SUBDIVISIONS
SITE PLANNING
LOCATION SURVEYS

12 May 1989

Town of New Windsor
Planning Board
555 Union Avenue
New Windsor, N.Y. 12550

Att: Planning Board Attorney, Mr. Joseph Rones

SUBJECT: SPERRY SUBDIVISION

Dear Mr. Rones:

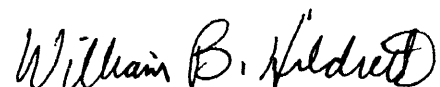
With reference to the Planning Board Meeting of 10 May 1989, and the discussion regarding a Right-of-Way through Lot NO. 3, I submit the following suggested language to you for a Note to appear on the map.

"Development of Lot No. 3 is Subject to the possibility of a requirement by the Town of New Windsor to provide a fifty (50) foot wide Right-of-Way through Lot No. 3 from Union Avenue to lands provided by the Town of New Windsor for connection to Summit Drive. The location of any structure to be constructed on Lot No. 3 shall take this provision into account, and shall be subject to the review of the Town of New Windsor Building Department"

Please review and comment as you see fit.

If you should have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,



William B. Hildreth, L.S.
Vice President

WBH/ms
cc: Rev. L. A. Sperry

MAY 16 1989 

TOWN OF NEW WINDSOR
PLANNING BOARD MEETING
MAY 10, 1989

MEMBERS PRESENT: CARL SCHIEFER, CHAIRMAN
JOHN PAGANO
DAN MC CARVILLE
RON LANDER
HENRY VAN LEEUWEN
VINCE SOUKUP
LAWRENCE JONES

ALSO PRESENT: MARK EDSAL, P.E., PLANNING BOARD ENGINEER
MICHAEL BABCOCK, BUILDING INSPECTOR
JOSEPH RONES, ESQ., PLANNING BOARD ATTORNEY

MINUTES

Mr. VanLeeuwen: I make a motion to approve the April 12th, 1989 Planning Board minutes.

Mr. McCarville: I will second that motion.

ROLL CALL:

Mr. Schiefer	Abstain
Mr. Pagano	Aye
Mr. McCarville	Aye
Mr. Lander	Aye
Mr. Soukup	Aye
Mr. Jones	Aye
Mr. VanLeeuwen	Aye

PAOLA SUBDIVISION (87-50) UNION AVENUE

Mr. William Hildreth came before the Board representing this proposal.

Mr. Hildreth: Although this project has been before the Board before, this is a new plan. It was represented by another party.

Mr. Schiefer: Are these the right maps?

Mr. Hildreth: Yes, they are. This last appeared before the Board as far as I know on June 8th, 1988 so it has been absent for a while.

What you are looking at is basically the same layout and configuration. It is a three lot subdivision, R4 zone right up the road on Union Avenue. We retain the same lot configuration, the areas and the metes and bounds changed a little bit, one thing that was not on the previous plan is the little sliver that goes up the right-of-way, why that was omitted before, I don't know, but it is part of the property so I had to show it. There has been variances granted for the side yards on the two houses that you can see. This was two houses on one lot deal and the Zoning Board of Appeals granted the variance for the side yards in order to create individual lots for the homes. The larger of the two lots contains a home, is large enough to be divided again although that is not part of this presentation, that is just for your information. The existing driveway that is there now, they plan to continue to use as is with an easement so that both, so that the two new lots have access and rights over it, there would be an agreement drawn up in the deed of conveyance. The property is served by town sewer and water and the remaining lot also is obviously large enough to be subdivided again. Again, that is not part of this submittal. That brings us, I would suspect, to the big item of discussion here which in reading over the minutes of the other presentations is second access from Park Hill. If there is no other questions that need to be addressed, I would like to discuss that.

Mr. VanLeeuwen: What worries me is this point to this point here. Now, if you take 50 feet off to put a road through here, you have 122 foot left.

Mr. Hildreth: I have got some thoughts on that as long as there is no other items to clean up.

Mr. VanLeeuwen: And I discussed this, we were going to move this line a little bit.

Mr. Hildreth: I didn't change the plans in the meantime because they had already been submitted.

Mr. McCarville: This structure right here is in violation of the zoning law.

Mr. Hildreth: In what way. I was not aware of that.

Mr. McCarville: It is in the front yard. Has the building permit been issued for this.

Mr. Hildreth: That, I don't know.

Mr. VanLeeuwen: Is it a new structure.

Mr. Babcock: Yes, it is.

Mr. Hildreth: They are pointing to the shed, framed shed.

Mr. VanLeeuwen: This has been put up.

Mr. McCarville: Sure, since the first map came in.

Mr. Hildreth: I have got a copy of the older map that was here.

Mr. McCarville: Take a look at it. It was there when we did our field work. I have seen it. It is really relatively new. It is about 12 weeks old.

Mr. Hildreth: It is older than that because the date of the survey--

Mr. McCarville: It was put up this spring, maybe late February.

Mr. Hildreth: As far as building permits--

Mr. Schiefer: It is not on the original map.

Mr. VanLeeuwen: There is a lot of things that aren't on the original map.

Mr. Babcock: On the original map that we have, the shed is not shown.

Mr. Hildreth: We will remove it, get a permit, move it back.

Mr. McCarville: One or the other.

Mr. Babcock: The only problem I see is that if it is on the plan and the plan is approved by the Planning Board, how can you approve a plan, I know this has been in here several times, if you approve a plan with something on it that is not per the zoning ordinance.

Mr. VanLeeuwen: We can't do that. It is against the law. I'd hate to do this to you to go to Reverend Sperry and tell him something has to be done with the shed before we can look at it.

Mr. Schiefer: Or go back and get another variance.

Mr. Hildreth: I don't think it is, I think it is one of those kits or prefabs. It probably wouldn't be a big deal to drag it. However it is resolved, I would on behalf of the client assure you that it would be resolved.

Mr. Schiefer: Before we approve it, it has to be removed, get a permit, get a variance, something. Is there anything else.

Mr. VanLeeuwen: Yes. I want to make sure that we have an exit from Park Hill to get through to Union Avenue. It doesn't have to be done now but--

Mr. Pagano: It is not Park Hill, it will be Summit.

Mr. VanLeeuwen: If we just want to make a two lot subdivision as far as I'm concerned, I have no problem but I do want to make sure that we do have a, we are able to get a road through to Park Hill

because we have a big problem.

Mr. Lander: It says County of Orange, who owns this lot.

Mr. Hildreth: County of Orange owns it for taxes. It is a paper stub that was part of the Park Hill, if you look at this here, you can see it is right here. That is the actual--it is right here.

Mr. Babcock: Right now I have a building permit application on that particular piece of property.

Mr. Soukup: You can't grant it because it is a non-conforming lot.

Mr. Babcock: We have a non-conforming ordinance that it meets and right now the tax map department has a number on it.

Mr. Schiefer: Have you granted a building permit for it.

Mr. Babcock: No, I haven't.

Mr. Soukup: The minimum requirement is 60 foot wide, how can you give a 50 foot right-of-way permit on a 60 foot wide lot.

Mr. Babcock: The minimum requirement is 50 foot.

Mr. Soukup: The bulk zoning table on this map says 60.

Mr. Babcock: That is to create a new lot but a non-conforming is 50. As far as the tax map is concerned, it is a lot right now. What happened was the developer that did Park Hill did not improve that stub as a town road and was never dedicated to the town and did not pay taxes and became property of Orange County and they sold it to a gentleman by the name of Keith Miller.

Mr. Soukup: They have sold it, changed titled.

Mr. Babcock: Yes. I've checked with the assessors office. It is changed titled.

Mr. Soukup: You don't have anymore access.

Mr. Schiefer: You have no reason not to grant a building permit, he has access, it is the width of the lot.

Mr. Babcock: Does anybody know whether Park Hill was approved a subdivision approved by the Town of New Windsor or Planning Board.

Mr. VanLeeuwen: No, it pre-existed zoning.

Mr. Babcock: That is where the problem comes in and if there was never a subdivision by the Town of New Windsor or the Planning Board more than likely I am going to be forced to give this gentleman the building permit.

Mr. Pagano: Check under John Petro, he was the original builder.

He was bought out by some outfit from Monsey but there was no Planning Board at the time but it was a subdivision and it was filed.

Mr. VanLeeuwen: Why don't we check out what is happening with the building permit. The shed has to be moved anyway. Why don't we just keep in mind right now that we can go through it until we here from Mike what is going to happen.

Mr. Schiefer: It is not what is going to happen, is Mike going to issue one is the issue and what I hear right now he is probably going to.

Mr. Pagano: I wish he would not issue a building permit until the attorney and the engineer look into this thing and find out the legalities. This is a right-of-way and just because it is sold becomes a building lot, I don't accept that.

Mr. Babcock: I can check with the town attorney and see what it is. I have a situation where I have to either deny or approve a building permit within a number of days and if I am going to deny a building permit, I have to have proper reasons for denial.

Mr. Schiefer: You check, Mike, see if you are going to be forced to issue these people a building permit. If there is anyway we can get out of it, we'd rather it not happen number one, we don't like the lot and number two we'd like to for access but if it is within his legal rights, we may not be able to stop him.

Mr. Pagano: I prefer if he just not issue it.

Mr. Rones: He can't not issue it. He has to deny the application and have some reasons for it.

Mr. Schiefer: You can't say the Planning Board doesn't want the building there. We have no authority.

Mr. Pagano: We are discussing that a right-of-way was created into a building lot by the sale through the county.

Mr. Soukup: Does the lot meet all the other provisions of the sub-standard lot, meet the minimum area, meet the side yards, meet the criteria of a sub-standard lot.

Mr. Babcock: Yes, he meets everything. That is what I asked him for when he applied for the permit. One of the guys brought it to me, I asked him to go back to him and tell him to supply me with a deed when he came in and he supplied me with a deed. I read the deed and it is all on the up and up so then what I told one of my assistants to do is make him supply us with a subdivision map showing that it was an approved lot.

Mr. Soukup: Let him go back to the county and see if he can get his money back in which case the county will take title and we can inform the county it is supposed to be a right-of-way and they shouldn't have sold it but they have done that from everything from dams to right-of-ways to close out their non-taxable lots.

Mr. Rones: Before you go, I just have a question on this driveway. Was it the Board's intention that lot #1 not have access to Union Avenue but only through that driveway on lot 2.

Mr. VanLeeuwen: What he said he is going to do is they are going to give an easement.

Mr. Rones: I understand that, sorry for interrupting, but do we want to insure that lot #1 doesn't have access onto Union Avenue except through this driveway.

Mr. Soukup: He has to go through the county, get the access and that is probably what he doesn't want to do.

Mr. Rones: But aside from that, does the Board, does this Board have any position on whether lot 1 could have its own access onto Union Avenue.

Mr. McCarville: It should not.

Mr. VanLeeuwen: Each lot should have their own access.

Mr. McCarville: You are always looking to combine accesses. This is a relatively dangerous access and all you need is another driveway coming out there.

Mr. Lander: That was the point at the first or second meeting, not to have another access to Union Avenue because of Nina.

Mr. Rones: Then would you please amend your note concerning the driveway at the top to add another sentence that lot #1 shall not have any independent or additional access onto Union Avenue other than the common driveway on lot #2.

Mr. Soukup: There is one other small problem that is that the way the easement is drawn with that small part of the circular drive attached to lot #1, there really is no turning action available to the resident of the lot 1. If the guy were to choose to build a fence along the edge of the easement line, if he built a fence on the easterly edge of the line, it would be really tough to turn around and come out on the road. We sure don't want him backing out onto Union Avenue so I suggest that a more of a K or T shaped turn around be provided so that a little more of the driveway be included in the easement that you propose to allow for a turning movement.

Mr. Hildreth: It is a 50 scale plan but you are right, I don't think there is room, enough room for two cars nose to tail.

Mr. Soukup: To be able to back up enough to be able to turn around and back out.

Mr. Hildreth: I'd like to close out the conversation here, we kind of digressed with the easement and to answer Mr. VanLeeuwen's ques-

tion in the event that this ever gets straightened out to the town's satisfaction, I'd like to assure the Planning Board that the configuration of lot 3, the remaining lot would be such it wouldn't preclude a road in there and if that lot should ever come before the Board for a building permit for the subdivision, whatever it could be addressed at that time and to that end there could be some juggling done with the one line along lot 2 in order to fatten out what appears to be the constricted area in here to allow for a 50 foot strip on either side enough room for a front yard/rear yard setback and build a house.

Mr. Soukup: Wouldn't it be appropriate to put that in a note for lot #3, either construction or development of lot #3 shall allow for a 50 foot right-of-way to extend to the rear of the property at any future date.

Mr. Hildreth: Yes, as long as it doesn't--

Mr. Soukup: That doesn't prevent you from building or developing 3 but when it is done, if a guy builds a house at the narrow strip, I think that should be put in words on lot 3 so any buyer of lot 3 knows he has that restriction.

Mr. McCarville: What restriction?

Mr. Soukup: That if lot 3 is either built on or developed in the future by further subdivision that a 50 foot strip to the rear of the property shall be provided or allowed for.

Mr. McCarville: How about if a single house is going to be built on there.

Mr. Soukup: The house should be located in such a manner that the right-of-way could still be extended through because he could build a house in the front.

Mr. VanLeeuwen: I want to put possible future right-of-way. I'd like to see you put location on there.

Mr. Hildreth: Depending on who wants to do--

Mr. VanLeeuwen: Somebody can come in here without coming back to this Planning Board and build a house right here. We are stuck.

Mr. Hildreth: Would you be comfortable with--

Mr. McCarville: You have no access so it is a mute point.

Mr. Hildreth: I'd like to set this up if this ever becomes available to you, something isn't done to prevent it and mess it up later.

Mr. McCarville: The whole thing ought to be triggered if this becomes available here.

Mr. Soukup: We can always waive it or remove it or forget it but if you don't ask for it now, you will never get it later on.

Mr. Hildreth: I think it is fair as far as marketability to let whoever buys it know that that is a potential.

Mr. Schiefer: It adds to the value of the lot.

Mr. VanLeeuwen: It is protecting the two women also.

Mr. Schiefer: How are you going to word that.

Mr. Roness: How about saying that the side yard setbacks for any structure on lot 3 to be erected on lot #3 shall be measured, shall exclude a 50 foot strip, 50 foot reserved strip for possible future access to Summit Drive along and then just describe these two.

Mr. Hildreth: If it ends up here that then makes a front yard requirement if that is, if this is large enough to be divided but that would make a front yard here so I almost think if you are going to punch out, it has to be here.

Mr. Roness: Why don't you give it some thought rather than us figuring it out and maybe you can give me a call or shoot something over at the office and we can just go over it.

Mr. Schiefer: You are going to come back anyway.

Mr. Roness: Mail something over to me so if we have to fine tune the wording, we can agree to it before the next meeting.

Mr. Schiefer: Right-of-way, shed.

Mr. McCarville: I suggest if you talk to the applicant about the possibility of knocking this thing out of here, deeding it over.

Mr. Hildreth: I should think the only question would be, would they accept it.

Mr. McCarville: Since the driveway is built on it, I think they may want it.

Mr. Hildreth: They have rights to use it. I don't know whether those rights include what they have done but that is neither here nor there from where I stand if that were to be done, is that going to require another subdivision or lot line change.

Mr. McCarville: Lot line change.

Mr. Schiefer: Mike, you will look into what can be done legally about preventing the building permit.

Mr. Babcock: Yes.

Mr. Hildreth: That is not going to be a condition of the approval.

5-10-89

Mr. Rones: No, not this time around.

Mr. Hildreth: Thank you.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE. (ROUTE 9W)
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RICHARD D. MCGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

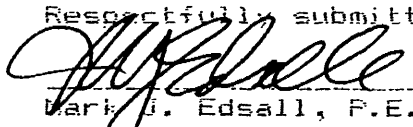
Licensed in New York,
New Jersey and Pennsylvania

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: Paola Minor Subdivision
PROJECT LOCATION: Union Avenue (east of Town Hall)
PROJECT NUMBER: 87-50
DATE: 10 May 1989

1. The Applicants have submitted a plan for review for the subdivision of an existing 7 +/- acre parcel into three (3) single-family residential lots. The plan was previously reviewed at the 28 October 1987, 13 April 1988 and 8 June 1988 Planning Board Meetings. Since those appearances, the application plan has been re-prepared by the office of Grevas and Hildreth, Land Surveyors.
2. The Applicant's Surveyor has met with the Building Inspector, Fire Inspector and the undersigned at a work session and has responded to all comments from that work session.
3. The Planning Board may wish to assume the position of Lead Agency under the SEQRA process.
4. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.
5. The plan has been forwarded to the Orange County Department of Planning and they have returned same for local determination.
6. The Planning Board should determine if a Public Hearing will be necessary for this minor subdivision, or if same can be waived per Paragraph 4.B of the Subdivision Regulations.
7. At this time, I am aware of no engineering reason why the plan can not receive final subdivision approval. If additional reviews are required, I will perform so, as deemed necessary by the Planning Board.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJEnje

paola


INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board
FROM: Town Fire Inspector
DATE: 28 April 1989
SUBJECT: Rev. L. A. Sperry Minor Subdivision
PLANNING BOARD REFERENCE NUMBER: PB-87-50
FIRE PREVENTION REFERENCE NUMBER: FPS-89-035

A review of the above referenced subject site plan/ sub-division was conducted on 28 April 1989.

This minor subdivision is approved.

PLAN DATED: 6 March 1989



Robert F. Rodgers; CCA
Fire Inspector

CC: M.E.

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR,
D.O.T., O.C.H., O.C.P., D.P.W., [REDACTED], SEWER, HIGHWAY, REVIEW
FORM:

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

Greaves & Hildreth for the building or subdivision of

Rev. C. A. Sperry has been

reviewed by me and is approved _____

~~disapproved~~ _____

~~If disapproved, please list reason~~ _____

Water is available

HIGHWAY SUPERINTENDENT

Steve D. [Signature]
WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

DATE

TOWN OF NEW WINDSOR PLANNING BOARD

MINOR SUBDIVISION CHECKLIST

I. The following items shall be submitted with a COMPLETED Planning Board Application Form.

1. ✓ Environmental Assessment Statement
- *2. ✓ Proxy Statement
3. ✓ Application Fees (PREVIOUSLY SUBMITTED)
4. ✓ Completed Checklist

II. The following checklist items shall be incorporated on the Subdivision Plat prior to consideration of being placed on the Planning Board Agenda.

1. ✓ Name and address of Applicant.
- *2. ✓ Name and address of Owner.
3. ✓ Subdivision name and location.
4. ✓ Tax Map Data (Section-Block-Lot).
5. ✓ Location Map at a scale of 1" = 2,000 ft.
6. ✓ Zoning table showing what is required in the particular zone and what applicant is proposing.
7. N/A Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
8. ✓ Date of plat preparation and/or date of any plat revisions.
9. ✓ Scale the plat is drawn to and North Arrow.
10. ✓ Designation (in title) if submitted as Sketch Plan, Preliminary Plan or Final Plan.
11. ✓ Surveyor's certification.
12. ✓ Surveyor's seal and signature.

* If applicable.

13. ✓ Name of adjoining owners.
- *14. N/A Wetlands and 100 foot buffer zone with an appropriate note regarding D.E.C. requirements.
- *15. N/A Flood land boundaries.
16. N/A A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.
17. ✓ Final metes and bounds.
18. N/A Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical centerline of the street.
19. ✓ Include existing or proposed easements.
20. ✓ Right-of-Way widths.
21. N/A Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
22. ✓ Lot area (in square feet for each lot less than 2 acres).
23. ✓ Number the lots including residual lot.
24. N/A Show any existing waterways.
- *25. ✓ ~~_____~~ A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
26. ✓ Applicable note pertaining to owners' review and concurrence with plat together with owners' signature.
27. N/A Show any existing or proposed improvements, i.e., drainage systems, waterlines, sewerlines, etc. (including locations, size and depths).
28. N/A Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.

* If applicable.

29. N/A Show all and proposed on-site "septic" system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
30. N/A Provide "septic" system design notes as required by the Town of New Windsor.
31. N/A Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
32. ✓ Indicate percentage and direction of grade.
33. ✓ Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
34. ✓ Provide 4" wide x 2" high box in area of title block (preferably lower right corner) for use by Planning Board in affixing Stamp of Approval.
35. N/A Indicate location of street or area lighting (if required).

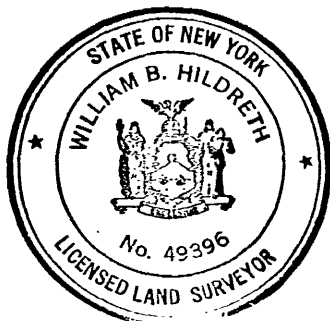
This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGEMENT:

The plat for the proposed subdivision has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

By: William B. Hildreth
Licensed Professional

Date: 14 March 1989



PROXY STATEMENT

for submittal to the

TOWN OF NEW WINDSOR PLANNING BOARD

ELIZABETH PAOLA, deposes and says that ~~he~~ ^{she}
resides at 503 UNION AVENUE NEW WINDSOR
(Owner's Address)

in the County of ORANGE

and State of NEW YORK

and that he is the owner in fee of Tax Map Parcel No. 7-2
IN SECTION 4 BLOCK 2

which is the premises described in the foregoing application and
that ^{she} ~~he~~ has authorized GREVAS & HILDRETH, P.C.
to make the foregoing application as described therein.

Date: 3/27/89

Elizabeth Paolo
(Owner's Signature)

William B. Hildreth
(Witness' Signature)

PROJECT I.D. NUMBER

817.21

SEQR

Appendix C

State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
 For UNLISTED ACTIONS Only

ART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <u>REV. L. A. SPERRY</u>	2. PROJECT NAME <u>REV. L. A. SPERRY - MINOR SUBDIVISION</u>
3. PROJECT LOCATION: Municipality <u>NEW WINDSOR</u> County <u>ORANGE</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>503 UNION AVENUE</u> <u>4100't WEST OF ROUTE 32</u>	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>3 LOT MINOR SUBDIVISION TO CREATE TWO LOTS FOR TWO EXISTING RESIDENCES, WITH ONE REMAINING LOT.</u>	
7. AMOUNT OF LAND AFFECTED: Initially <u>7.06 ±</u> acres Ultimately <u>7.06 ±</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly <u>NEW WINDSOR ZONING BOARD OF APPEALS GRANTED A SIDE YARD VARIANCE FOLLOWING A PUBLIC HEARING HELD ON 28 MARCH 1988</u>	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approval	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <u>REV. L. A. SPERRY</u>	Date: <u>14 March 1988</u>
Signature: <u>William P. Hildner D.S.</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY THRESHOLD IN 6 NYCRR, PART 617.12? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, terminate the review process and use the FULL EAF.
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.8? <input type="checkbox"/> Yes <input type="checkbox"/> No	If No, a negative declaration may be superseded by another involved agency.
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible) C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly: 	
D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly	

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

- ☐ Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from responsible officer)

Date

TOWN OF NEW WINDSOR PLANNING BOARD
TRACKING SHEET

PROJECT NAME: Paola Subdivision

PROJECT NO. : 87-50

TYPE OF PROJECT: Subdivision ☒ Site Plan ☐
Lot Line Change ☐ Other (Describe) ☐

<u>TOWN DEPARTMENT REVIEWS:</u>	<u>Date</u> <u>App'd</u>	<u>Date</u> <u>Not App'd</u>	<u>Not</u> <u>Required</u>
---------------------------------	-----------------------------	---------------------------------	-------------------------------

Planning Board Engineer	_____	_____	_____
Highway	_____	_____	_____
Bu. Fire Prev.	_____	<u>7-21-87</u>	_____
Sewer	_____	_____	_____
Water	_____	_____	_____
Flood	_____	_____	_____

OUTSIDE DEPT./AGENCY REVIEWS:

DOT	_____	_____
DEC	_____	_____
O/C PLANNING <u>5/24/88 (See comments)</u>	_____	_____
O/C HEALTH	_____	_____
NYS DOH	_____	_____
OTHER (SPECIFY)	_____	_____

SEOR: Lead Agency Action _____
Determination _____
EAP Short _____ Long _____ Submitted _____ Accepted _____
Proxy: Filed _____ Representative _____

PUBLIC HEARING: Held (DATE) _____ Waived* _____
Other _____
(* Minor Subdivision and Site Plans only.)

TIME SEQUENCING:
(SUBDIVISIONS)

Sketch Plan Date _____	+ 30 days = Action Date _____
Preliminary P/H Date _____	+ 45 days = Action Date _____
Preliminary App'l Date _____	+ 6 months = Final Resub. Date _____
Final Plan Date _____	+ 45 days = Final App'l Date _____

TIME SEQUENCING:
(SITE PLANS)

Presubmission Conf. Date _____	+ 6 months = Submittal Date _____
First Meeting Date _____	+ 90 days = Final App'l Date _____

PROXY STATEMENT

for submittal to the

TOWN OF NEW WINDSOR PLANNING BOARD

Elizabeth Paola deposes and says that he
resides at 502 Union Ave New Windsor
(Owner's Address)

in the County of Orange

and State of New York

and that he is the owner in fee of _____

which is the premises described in the foregoing application and
that he has authorized Attorney Mark Wright
to make the foregoing application as described therein.

Date: 1 June 88

Elizabeth H. Paola
(Owner's Signature)

Rev. J. G. Denny
(Witness' Signature)



McGOEY and HAUSER
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE. (ROUTE 9W)
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640
PORT JERVIS (914) 856-5600

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
Associate

Licensed in New York,
New Jersey and Pennsylvania

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: PAOLA SUBDIVSION
PROJECT LOCATION: UNION AVENUE (OPPOSITE NINA)
NEW WINDSOR #: 87-50
13 APRIL 1988

1). The Applicant has submitted a plan for a three (3) lot subdivision of a 6.8 +/- acre parcel located on the south side of Union Avenue opposite Nina Street. The plan was previously reviewed at the 28 October 1987 Planning Board meeting, at which time the application was forwarded to the Zoning Board of Appeals.

2). Since the appearance at the 28 October 1987 Planning Board meeting, no revised or updated plan has been received for review. The following comments, as noted in the 28 October 1987 review comments, should be addressed in an updated plan:

- a. Access to the existing house on proposed Lot No. 1 should be clarified. *make a new Driveway From Road*
- b. Information should be added to the plan to conform with the checklist for subdivision provided with the Town submittal package.
- c. Bulk Table Zoning information should be shown on the plan. Reference should be made by date to any variances granted.
- d. The plan ~~should include a note regarding the conditions of the proposed right-of-way shown on Lot 2. Also, it should be noted if same is only for driveway use and if a maintenance agreement is proposed for the shared portions.~~
Cross off the right of way

3). The Applicant should submit a Short Environmental Assessment Form such that the Board may begin the SEQRA process.

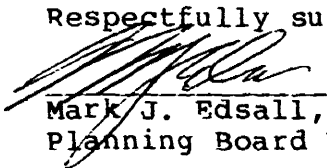
4). If the Applicants are to be represented by anyone other than themselves, a Proxy Statement should be filed with the Board.

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: PAOLA SUBDIVSION
PROJECT LOCATION: UNION AVENUE (OPPOSITE NINA)
NEW WINDSOR #: 87-50
PAGE TWO

- 5). The Board should note that the Bureau of Fire Prevention has acted unfavorably with regard to this application. *ON account of No driveway*
- 6). Based on the above, it is my opinion that the application is not suitable for approval at this time.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJE/dl
paola



Louis Helmbeck
County Executive

87-50

Department of Planning
& Development

124 Main Street
Goshen, New York 10924
(914) 294-5151

Peter Garrison, Commissioner
Richard S. DeTurk, Deputy Commissioner

ORANGE COUNTY DEPARTMENT OF PLANNING & DEVELOPMENT
239 L, M or N Report

This proposed action is being reviewed as an aid in coordinating such action between and among governmental agencies by bringing pertinent inter-community and Countywide considerations to the attention of the municipal agency having jurisdiction.

Referred by T. NEW WINDSOR PLANNING BD D P & D Reference No. NYOT 30-88N
County I.D. No. 412172

Applicant ELIZABETH PAOLA

Proposed Action: MINOR SUBDIVISION

State, County, Inter-Municipal Basis for 239 Review FRONTAGE/ACCESS CR# 69

Comments: HARD TO VISUALIZE WITHOUT TOPO

Related Reviews and Permits ~~NYOT~~ ORANGE COUNTY/DPLD

County Action: Local Determination ☒ Disapproved ☐ Approved ☐

Approved subject to the following modifications and/or conditions:

MAY 24, 1988
Date

Peter Garrison
Commissioner



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

BUREAU OF FIRE PREVENTION

SITE PLAN APPROVAL

Elizabeth Paola Subdivision

The aforementioned site plan or map was reviewed by the Bureau of Fire Prevention at a meeting held on 21 July 1987.

☐ The site plan or map was approved by the Bureau of Fire Prevention.

☒ The site plan or map was disapproved by the Bureau of Fire Prevention for the following reason(s).

6-2-88 Reviewed Plans Strongly recommend
two separate driveways - if not a permanent
access be established

Inspector
Inspector

SIGNED:

Richard P. Pataky
CHAIRMAN

Mr. Mark Sperry came before the Board representing this proposal. Mr. Mark Wright, Esq. also came before the Board representing this proposal.

Mr. Wright: One of the last times the applicant was before you, you sent it to the Zoning Board of Appeals for an area variance because as you can see, the lot lines are not far enough. It is like five feet when it should be fifteen. At the last meeting of that Board on March 28th the variance was granted. I have the copy of it. Now, about the area variance has been granted, we can come back to the Planning Board for preliminary and final approval.

Mr. Van Leeuwen: One thing I don't see is the distances between the two buildings and the lot line where it is a minimum, it is five foot.

Mr. McCarville: That building, does that set back clearly behind this building? This house is looking at that from the road.

Mr. Van Leeuwen: I don't like it. I am sorry. Basically, this house here is nothing but a garage converted to a house.

Mr. Sperry: It is a house and has been occupied since 1958 as a house.

Mr. Mc Carville: When was it constructed?

Mr. Sperry: 1958. They were living in the little house before they moved into the big house. This one was built as a garage and this was built as a house. They lived there in this one while building this one. Then, they never moved out. This has been continuously

lived in since the '50's so it has prior use.

Mr. Van Leeuwen: Which piece is being sold?

Mr. Wright: After the subdivision, Lot No. 2 will be transferred out. That is the reason for the subdivision because we have two houses and two different families living or potentially could, but you can't sell it separately.

Mr. Mc Carville: This has historically been one owner, you can't get rid of one without getting rid of both.

Mr. Wright: The Zoning Board of Appeals wants a deed right of way for a driveway. They don't want a driveway up here because of the DOT consideration.

Mr. Lander: Just one thing now. We have on the east side of that property right down here, the east side, southeast the end of the property parcel. Three is not connected to parcel three. Is it?

Mr. Wright: The map doesn't indicate that it is.

Mr. Lander: Who owns the parcel south 18 degrees west? It is that corner piece here. It doesn't show this piece here, whoever owns this empties out onto Ona Lane.

Mr. McCarville: All adjoining landowners should be identified on the map. There are no names on there of the property owners that are around that.

Mr. Wright: The Zoning Board of Appeals notices were sent to all of the owners and only one person came.

Mr. Lander: It is just on the map who the property owners are on that piece or even on the piece directly adjoining that.

Mr. Sperry: The fellow that the property right back here came and said he seen no problem. I forget his name. He didn't show up to oppose. He seen me out in the hallway wondering what is happening.

Mr. Lander: They should have the name of the property owner here because we have land over the city school district on this side and Union Avenue, but we don't know who owns this property there.

Mr. Sperry: We have the tax map. We can insert the names.

Mr. Van Leeuwen: I think that we ought to do is take a look. I have rode by very slowly, but I want to take a physical look at it.

Mr. Scheible: I don't intend on making a move until we do look at it. I don't like the situation.

Mr. Van Leeuwen: There is only ten and a half feet between those two buildings on the property line. You are creating a ridiculous situation. Then, you look at the other lot line over here at Union Avenue, that goes over on an angle that could have been straightened out. You have all kinds of different angles going on here. That is not good sound planning.

Mr. Scheible: Where is Lot No. 1's access to Union Avenue?

Mr. Wright: They will have a deed of right of way from the other right of way. See where it says proposed right of way?

Mr. Scheible: I don't like that either.

Mr. Van Leeuwen: If that is going to come out, I'd like to see separate driveways for the both.

Mr. Babcock: Also, the Fire Bureau disapproves this plan because of not having separate driveways.

Mr. Wright: The applicant would prefer to have separate driveways. It is the Zoning Board that wanted it that way.

Mr. Schiefer: How did the Zoning Board of Appeals approve this?

Mr. Van Leeuwen: Straighten this line out. That is poor planning.

Mr. Wright: The thought is more likely that this will be further subdivided into two half acre parcels because Zoning permits that and another house built here. If you don't have a line at that angle, you will have a problem with the area by putting it here, you have plenty of room.

Mr. Scheible: Let's set up a field inspection meeting and take a closer look at this.

Mr. McCarville: On the Lot 2, is going to be sold, is that correct?

Mr. Wright: Yes, that is why it has to be subdivided. It is pre-existing, two families living there for 30 years.

Mr. Scheible: Living where?

Mr. Wright: One family in this house.

Mr. Scheible: When was the last time somebody has been living in the big house? Has anyone ever lived in the big house?

Mr. Wright: Yes.

Mr. Scheible: When was the last time?

Mr. Wright: Ten years ago.

Mr. McCarville: And it's been vacant ten years. Have these houses always been in the same family then?

Mr. Wright: Yes.

Mr. McCarville: So, one owner has owned both properties?

Mr. Wright: As far as being close, the area variance was granted. Condominiums are closer, townhouses are closer, but in the city it is even closer.

Mr. McCarville: We are not in the city. This has been in the same ownership. I don't think it is impossible to sell both pieces of property together.

Mr. Scheible: With the whole thing included, as far as I am concerned, all three units here should be on one lot. The garage and the two houses. But we will go out and take a look at it and see how the rest of the Board feels. I am only stating my own personal belief.

Mr. Wright: In other words, even though a variance was granted separating the two houses, you folks could throw it back?

Mr. Scheible: The Zoning Board of Appeals did not create a subdivision. They issued a variance. It is up to the Planning Board to issue the subdivision and what the Zoning Board of Appeals says doesn't mean we have to follow-up with their decision. It is our decision whether this three lot subdivision be so divided or not.

Mr. Wright: Thank you.

Mr. Edsall: Here is a copy of the engineering comments. So maybe between now and the next meeting, the plans can be updated.



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

March 31, 1988

1763

Mark Wright, Esq.
266 Main Street
Fishkill, N. Y. 12524

RE: APPLICATION FOR AREA VARIANCE
#87-53 - PAOLA, ELIZABETH

Dear Mr. Wright:

This is to confirm that the Zoning Board of Appeals at its March 28, 1988 meeting voted to grant the above application for variance of PAOLA.

Formal decision will be drafted some time in the future and acted upon by the Board. You will be receiving a copy by return mail.

Very truly yours,

PATRICIA A. BARNHART
Secretary

/pab

Enclosure

cc: ~~Town~~ Planning Board
Michael Babcock, B. I.

3-28-88

NEW WINDSOR ZONING BOARD OF APPEALS

(ZBA #4-032888.ZBA)

AGENDA:

7:30 p.m. ROLL CALL

Motion to accept the 2/22/88 and 3/14/88 minutes as written.

PRELIMINARY MEETING:

GA SHOULD COME IN

1. EGA ASSOCS./PARTY STOP - Request for sign on building located at Waldbaum's, Vails Gate in C zone. Present: Allen Ortner.

HOUSE BUILD A OFFICE

2. LANGANKE, HERBERT - SECOND PRELIMINARY MEETING - Request for use and (1) 18,861 s.f. lot area, (2) 52 ft. lot width, (3) 15 ft. frontyard, (4) 15/10 ft. sideyard, (5) 2 ft. 6 in. building height variances to construct one-family residential dwelling in PI zone at 34 Route 207.

SETUP PIT

3. SORRENTINO, ROBERT - Request for 10,495 s.f. lot area variance and 35 ft. street frontage to construct a one-family dwelling on Weather Oak Hill Road in R-3 zone.

PUBLIC HEARINGS:

APP 60 TO PLANNING BOARD

4. PIRNIK, DAVID - Request for 22,660 s.f. lot area variance to construct one-family dwelling on northside of Mt. Airy Road in R-3 zone.

APP

5. PAOLA, ELIZABETH - Request for ~~two~~^{THREE}-lot subdivision each lot requiring 10.75 ft. sideyard at Union Avenue in R-4 zone. 87-50

APP

6. BUCKNER OIL SERVICE - Request for use, extension of 87-52 nonconforming use, accessory building and area variances (1) 19,727 s.f. lot area, (2) 200.02 ft. lot width, (3) 21.5 ft. front yard, (4) 94/171 ft. side yard, (5) 98 ft. rear yard, and (6) 100 ft. street frontage for purposes of construction of garage in R-3 zone off Sloop Hill Drive. Present: Paul V. Cuomo, P. E. and Ronald Buckner.

48
20

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*

*

8. FORMAL DECISIONS - (1) KWG REALTY/GALLAGHER
(2) CIRELLI/FOSTER

Adjournment

Pat 565-8550 (o)
562-7107 (h)

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK



1763

BUREAU OF FIRE PREVENTION

SITE PLAN APPROVAL

Elizabeth Paola Subdivision

The aforementioned site plan or map was reviewed by the Bureau of Fire Prevention at a meeting held on 21 July 1987.

☐ The site plan or map was approved by the Bureau of Fire Prevention.

☒ The site plan or map was disapproved by the Bureau of Fire Prevention for the following reason(s).

Lot #1 needs private driveway for home.

SIGNED:

Richard H. Hotaling
CHAIRMAN

ZONING BOARD OF APPEALS

FEBRUARY 22, 1988

REVISED AGENDA:

7:30 P.M. - ROLL CALL

Motion to accept the minutes of the February 8, 1988 meeting as written.

PRELIMINARY MEETING:

P.H. 1. GALLAGHER TRUCKING - Matter referred from Planning Board. Conceptual approval given pending ZBA approval for use in PI zone and/or extension of non-conforming use. Present: Greg Shaw, P.E., Shaw Engineering.

P.H. 2. KULLBERG, KARL - Request for (1) 4,530 s.f. area variance for lot #1 and (2) 4,400 s.f. lot area variance for lot #2 - two lot subdivision referred by Planning Board. Location: Off Ash Street in R-3 zone. (No town water available-sewer is available).

P.H. 3. PAOLA, BETTY - Request referred by Planning Board for two lot subdivision - Lot #1 requires 10.75 ft. sideyard and Lot #2 requires 10.75 ft. sideyard, also. Location: Union Avenue off Mac Nary Lane in R-4 zone.

10 SHOW 4. FREEDOM ROAD REALTY - SECOND PRELIMINARY - Applicant is seeking two front yard variances for two additions located on northside and southside of Insulpane building - 335 Temple Hill Road in PI zone. ZBA requested additional information, i.e. original building permit, architectural renderings, etc. Present: Pat Kennedy.

TABLE 5. DUFFER'S HIDEAWAY - Referred by Planning Board for variances for construction of a batting cage addition to golf driving range located on Route 3. within a PI zone.

PUBLIC HEARING:

DISAPPROVED 6. ROTWEIN, PERRY - Matter referred by Planning Board for area variances. Applicant plans to subdivide property into two lots located on southside of Little Britain Road. Pat Kennedy present representing applicant. Variances required:

- Lot #1- (1) 35 ft. lot width;
- (2) 11 ft. sideyard;
- Lot #2- (3) 1 ft. 7 in. side yard
- (4) 11 ft. rear yard

6. FORMAL DECISION - KUBICH, RANDALL.

ADJOURNMENT

PAT 565-8550 (o)
562-7107 (h)

OFFICE OF THE PLANNING BOARD
TOWN OF NEW WINDSOR
ORANGE COUNTY, N.Y.

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

File No. 87-50

Date 1-20-88

To: Betty Paola
503 Union Avenue
New Windsor, N.Y. 12550

PLEASE TAKE NOTICE that your application dated 1-7-87
for (Subdivision - Site Plan) Subdivision (minor)
located at Union Ave, New Windsor, N.Y.

is returned herewith and disapproved for the following reasons.

R4 Zone) by subdividing property, insufficient
side yards for both lots

Henry Scheile
Planning Board Chairman *env*

Requirements

Proposed or
Available

Variance
Request

Min. Lot Area 15,000

Min. Lot Width 100

Req'd Front Yd. 35

Req'd. Side Yd. 15/30

Req'd. Rear Yd. 40

Req'd. Street
Frontage* 60

Max. Bldg. Hgt. 35

Min. Floor Area* 1,000

Dev. Coverage* 30 %

Floor Area Ratio** N/A

Lot 1 5.25
Lot 2 5.25

10.75
10.75

* Residential Districts only

** Non-residential Districts only

TOWN OF NEW WINDSOR PLANNING BOARD
TRACKING SHEET

PROJECT NAME: PAOLA Subdivision

PROJECT NO. : 87-50

TYPE OF PROJECT: Subdivision ☒ Site Plan _____
Lot Line Change _____ Other (Describe) _____

<u>TOWN DEPARTMENT REVIEWS:</u>	Date <u>App'd</u>	Date <u>Not App'd</u>	Not <u>Required</u>
Planning Board Engineer	_____	_____	_____
Highway	_____	_____	_____
Bu. Fire Prev.	_____	<input checked="" type="checkbox"/>	_____
Sewer	_____	_____	_____
Water	<input checked="" type="checkbox"/>	_____	_____
Flood	_____	_____	_____

OUTSIDE DEPT./AGENCY REVIEWS:

DOT	_____	_____	_____
DEC	_____	_____	_____
O/C PLANNING	_____	_____	_____
O/C HEALTH	_____	_____	_____
NYSDOH	_____	_____	_____
OTHER (SPECIFY)	_____	_____	_____

SEOR: Lead Agency Action _____
Determination _____
EAF Short NO Long _____ Submitted _____ Accepted _____
☒ Proxy: Filed NO Representative _____

PUBLIC HEARING: Held (DATE) _____ Waived* _____
Other _____
(* Minor Subdivision and Site Plans only.)

TIME SEQUENCING:
(SUBDIVISIONS)

Sketch Plan Date _____	+ 30 days = Action Date _____
Preliminary P/H Date _____	+ 45 days = Action Date _____
Preliminary App'l Date _____	+ 6 months = Final Resub. Date _____
Final Plan Date _____	+ 45 days = Final App'l Date _____

TIME SEQUENCING:
(SITE PLANS)

Presubmission Conf. Date _____	+ 6 months = Submittal Date _____
First Meeting Date _____	+ 90 days = Final App'l Date _____

**Rev. Sperry will Rep- Called his office 10/22/87
Left message to pick-up Proxy/Statement & Check-off
Sheet along with EAF.*



RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
Associate

Licensed in New York,
New Jersey and Pennsylvania

McGOEY and HAUSER
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE. (ROUTE 9W)
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640
PORT JERVIS (914) 856-5600

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: Paola Subdivision
PROJECT LOCATION: Union Avenue (opposite Nina)
NW: 87-50
28 October 1987

1. The Applicant has submitted a Plan for a three (3) lot subdivision of a 6.8 +/- acre parcel located on the south side of Union Avenue opposite Nina Street. The Plan was reviewed as a Sketch Plan Submittal.
2. The Plan should more clearly indicate the existing site information, such as the existing access to the existing house on Proposed Lot No. 1.
3. The Applicant should verify that the current conditions are such that there are two (2) residential structures on a single lot, as is understood from the submitted plan.
4. The Plan as submitted does not contain a significant amount of information as required based on the Checklist provided with the Town of New Windsor Submittal Package. The preliminary plan submittal should include all such information including, but not limited to, the following: Bulk Table Information, Zone Classification, Owner of Record Information, Sewer and Water Information, etc.
5. The Plan should include a note regarding the conditions of the proposed right-of-way shown on Lot 2. It should be noted if same is only for driveway use and if a maintenance agreement will be prepared for those shared portions of the driveway. In addition, metes and bounds for the right-of-way should be indicated.

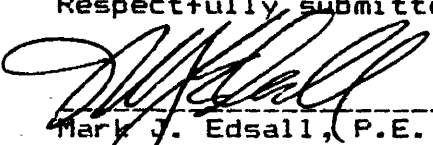
TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: Paola Subdivision
PROJECT LOCATION: Union Avenue (opposite Nina)
NW: 87-50
28 October 1987

Page 2

6. At such time that a complete plan is submitted for preliminary review, the Engineering Review will be continued and additional comments provided.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEnjE

Mr. Scheible: This is a matter of two houses, if they can be sold separately because they are 15 feet apart. This is on the south side of Union.

Mrs. Paola: This is right next to the Temple Hill School.

Mr. Van Leeuwen: They have to go to the ZBA because they only have 15 feet between the houses.

Mr. Schiefer: I make a motion we accept the ^{THREE}~~(two)~~ lot subdivision of Paola.

Mr. Van Leeuwen: I will second that. Have Mr. Hoyt your attorney get ahold of our chairman.

MR. JONES	NAY
MR. VAN LEEUWEN	NAY
MR. MC CARVILLE	NAY
MR. LANDER	NAY
MR. SCHIEFER	NAY
MR. SCHEIBLE	NAY

Mr. Ronas: In referring this matter to the Zoning Board they appreciate it if you would make some indication as to whether you'd recommend approval or denial of the variance.

Mr. Van Leeuwen: I recommend approval of the variance for Paola.

Mr. Schiefer: I recommend approval since it is a re-existing condition any way.

Mr. Scheible: I'd recommend it also.

8750

BUILDING INSPECTOR, P.B. ENGINEER,
WATER, SEWER, HIGHWAY REVIEW FORM:

The maps and plans for the Site Approval _____
Subdivision _____ as submitted by
S. Day C. Horowitz EE for the building or subdivision of
Elizabeth Paola has been
reviewed by me and is approved ☒
~~disapproved~~ _____.

~~If disapproved, please list reason.~~

water is available on Union Ave - call
water dept. for further information and
location.

I changed the road (McNary to Nina St) on
map -

HIGHWAY SUPERINTENDENT

Steve Dibo
WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

DATE



555 UNION AVENUE
NEW WINDSOR, NEW YORK

SITE PLAN APPROVAL

Elizabeth Paola Subdivision

The site plan or map was approved by the Bureau of Fire Prevention.

The site plan or map was disapproved by the Bureau of Fire Prevention for the following reason(s).

SIGNED

CHAIRMAN

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 12550

(This is a two-sided form)

Date Received _____
Meeting Date _____
Public Hearing _____
Action Date _____
Fees Paid _____

APPLICATION FOR SITE PLAN, LOT-LINE CHANGE
OR SUBDIVISION PLAN APPROVAL

1. Name of Project Paola
Rev. Llewellyn A. Smith For Elizabeth CONTACT Phone _____
2. Name of Applicant Betty Paola Phone 562-7143
Address 503 Union Ave New Windsor, N.Y. 12550
(Street No. & Name) (Post Office) (State) (Zip)
3. Owner of Record Betty Paola Phone 565-5686
Address 503 Union Ave. New Windsor, N.Y.
(Street No. & Name) (Post Office) (State) (Zip)
4. Person Preparing Plan Sidney Horowitz Phone 794-4882
Address 12 Franklin, Monticello 12701
(Street No. & Name) (Post Office) (State) (Zip)
5. Attorney Mark Wright Phone 896-5707
Address 266 main ST, Fishkill, N.Y. 12524
(Street No. & Name) (Post Office) (State) (Zip)
6. Location: On the South side of Union Ave
(East side) Street)
_____ feet next to Temple Hill School
(Direction)
of _____
(Street)
7. Acreage of Parcel 6.7755 8. Zoning District _____
9. Tax Map Designation: Section 4 Block 2 Lot 7.2
10. This application is for Elizabeth Paola
11. Has the Zoning Board of Appeals granted any variance or a special permit concerning this property? No

If so, list Case No. and Name _____

12. List all contiguous holdings in the same ownership
Section _____ Block _____ Lot(s) _____

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

OWNER'S ENDORSEMENT
(Completion required ONLY if applicable)

COUNTY OF ORANGE

SS.:

STATE OF NEW YORK

_____ being duly sworn, deposes and says
that he resides at 503 Union Ave
in the County of Orange and State of New York
and that he is (the owner in fee) of _____

(Official Title)

of the Corporation which is the Owner in fee of the premises described in the foregoing application and that he has authorized _____ to make the foregoing application for Special Use Approval as described herein.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this

FOR BETTY PAOLE

(Owner's Signature)

7th day of July 1987

Rev. Edwin A. Sperry
(Applicant's Signature)

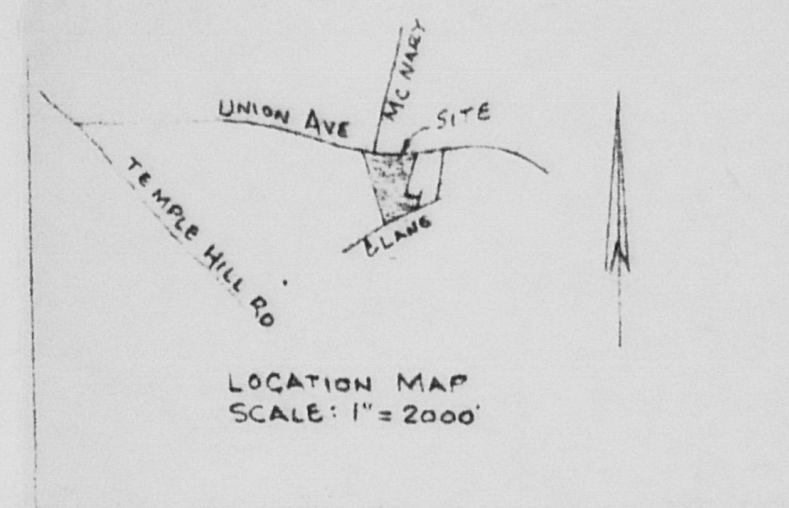
Patricia E. O'Brien
Notary Public

Ally
(Title)

PATRICIA E. O'BRIEN
Notary Public, State of New York
Residing in County of Orange
No. 4641496
Commission Expires Feb. 28, 1990

REV. 3-87

LANDS OF CITY SCHOOL DISTRICT
OF NEWBURGH (N.Y.)

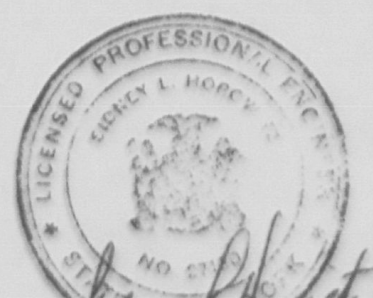


SURVEY
MINOR SUBDIVISION
LANDS OF
ELIZABETH PROLA
502 LUTHER AVE.

TOWN OF NEW WINDSOR
ORANGE CO., N.Y.

CERTIFIED CORRECT

Andrew L. Loomis, C.E.
PE #1527130
MONTICELLO, N.Y. 23 FEB 87



AREA SUMMARY:
LOT NO. 1 0.8717 ACRES
LOT NO. 2 1.1102 "
LOT NO. 3 4.7936 "
TOTAL 6.7755 ACRES

TAX MAP DESIGNATION: SEC. 4, BL. 2, LOT 22

CERTIFIED THAT THIS MAP IS A TRUE AND ACCURATE
FIELD SURVEY COMPLETED WHEN THIS MAP
COMPLETED 23 FEB 87

DRIVEWAY NOTES:

- 1) THE OWNERS OF LOTS 1 & 2 SHALL MAINTAIN THE EXISTING DRIVE BY MEANS OF A MAINTENANCE AGREEMENT MADE A PART OF THE DEED (3) OF SALE AND FILED IN THE ORANGE COUNTY CLERK'S OFFICE.
- 2) LOT NO. 1 SHALL HAVE NO INDEPENDENT OR OTHER ACCESS TO UNION AVENUE EXCEPT OVER THE DRIVEWAY EASEMENT AS SHOWN HEREON.

DRIVEWAY EASEMENT

UNION AVENUE

CO. ED. No. 69

LOT NO. 1

LOT NO. 2

LOT NO. 3

LOT NO. 4

LOT NO. 5

LOT NO. 6

LOT NO. 7

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